FILE COPY

In the Supreme Court of the United States

OCTOBER TERM, 1972

No. 72-[illegible]

D. B. ANDERS,
Petitioner,

vs.

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO FILE OUT OF TIME PETITION FOR REHEARING OF ORDER DENYING PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF CLAIMS

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OCTOBER TERM, 1972

No. 72-590

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UNITED STATES OF AMERICA,
Respondent.

MOTION FOR LEAVE TO FILE OUT OF TIME PETITION FOR REHEARING OF ORDER DENYING PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF CLAIMS

Comes now the petitioner and moves for leave to file out of time the Petition for Rehearing of Order Denying Petition for Writ of Certiorari to the United States Court of Claims in the instant case, and states as the reason therefor the following:

1. The Petition for Writ of Certiorari was denied by this Court on December 11, 1972;

2. Under Rule 58 of the Rules of this Court the Petition for Rehearing was due to be filed on or before Friday, January 5, 1973;

3. On Wednesday, January 3, 1973, the Kansas City, Missouri area in which petitioner's attorney maintains his office was struck by its most severe winter ice storm in fifty years, which storm greatly disrupted heat, power, telephone, mail, communications, and normal business activities within the Kansas City area for several days and delayed completion of the printed Petition for Rehearing; and

4. Petitioner has been advised that the Petition for Rehearing was received by this Court on Saturday, January 6, 1973;

WHEREFORE, petitioner prays that this motion for leave to file out of time the Petition for Rehearing be granted, and that the Court consider the matter set forth therein.

Respectfully submitted,

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